

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Cr. No. 09-50 (02) JMR

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	MOTION FOR MODIFICATION
	)	OF CONDITIONAL RELEASE
v.	)	
	)	
SALAH OSMAN AHMED,	)	
	)	
Defendant.	)	

Comes now Defendant Salah Osman Ahmed, through undersigned counsel, respectfully requesting the Court's Order modifying his conditional release to (1) permit his residing at the home he shared with his mother prior to his arrest, and (2) terminate the requirement of electronic monitoring, pending completion of the case and sentencing. As grounds, he sets forth the following:

On March 15, 2010, this Court permitted a conditional release which provided for Mr. Ahmed's residing at a halfway house in Minneapolis, with allowance for substantial time to be spent at the home he shares with his mother in New Brighton, Minnesota. That home location is in close vicinity to numerous other members of Mr. Ahmed's immediate family, including adult siblings and their families. The Conditional Release Order of March 15 also required Mr. Ahmed to submit to radio frequency location monitoring.

Since that date Mr. Ahmed has been in full compliance with rules of U.S. Probation/Pretrial Services and the halfway house and the requirements of the Order for Conditional Release. There are no violations.

Undersigned counsel has been contacted by U.S. Pretrial Services Officer David

Drake on this date. Mr. Drake has supervised Mr. Ahmed's conditional release and inspected the defendant's family home in New Brighton. Mr. Drake states that he agrees Mr. Ahmed should be permitted to leave the halfway house and reside full time with his mother in New Brighton. Mr. Drake also believes it appropriate to terminate the requirement of radio frequency monitoring. He authorized undersigned counsel to reference his agreement with these modified conditions in this motion.

We respectfully note that the similarly situated co-defendant, Abdifatah Yusef Isse, was permitted to leave his halfway house and live full time with a family member on March 23, 2010. Mr. Isse also has a motion pending currently for termination of his electronic monitoring condition.

Undersigned counsel has left a message with Assistant United States Attorney Anders Folk, seeking the government's position with respect to these modifications, but has not spoken with the prosecutor as of the filing of this motion.

For the foregoing reasons, Mr. Ahmed respectfully requests this Court's Order modifying his conditional release pending sentencing as follows:

1. Striking the requirement of residence at a halfway house, Paragraph 8(m) of the March 15 order for Conditional Release;
2. Striking the requirement of radio frequency location monitoring, Paragraph 8(t)(ii) of the March 15 order for Conditional Release;

3. Permitting him to reside at his family home in New Brighton, Minnesota, by modifying Paragraph 8(i) to identify that address as his place of abode.

Date: May 26, 2010

/s/ **James E. Ostgard**

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